

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
CEDAR RAPIDS DIVISION**

TODD M. HULFISH,

Petitioner,

vs.

UNKNOWN,

Respondent.

No. C07-0028-MWB

ORDER

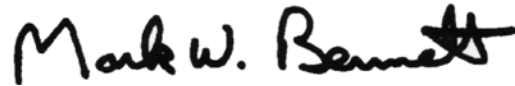
This matter is before the court on the submission of a letter and an application to proceed in forma pauperis. The petitioner submitted the letter and application on March 19, 2007. The Clerk's Office filed the letter as a 28 U.S.C. § 2254 action. A letter is insufficient to commence a civil action. *See* Fed. R. Civ. P. 3 (indicating a civil action is commenced by filing a complaint); *see also* Fed. R. Civ. P. 8 (addressing general rules of pleading). Accordingly, this action is dismissed without prejudice. 28 U.S.C. § 1914; 28 U.S.C. § 1915. The Clerk of Court is directed to file the letter for the purpose of making a record. Additionally, the Clerk of Court is directed to send the petitioner a 28 U.S.C. § 2254 packet¹ and a 42 U.S.C. § 1983 packet. With respect to the petitioner's application to proceed in forma pauperis, it is denied as moot.

IT IS SO ORDERED.

DATED this 23rd day of April, 2007.

A copy of this document has been mailed/faxed to all counsel of record, pro se parties and others listed and not shown as having been served electronically under the cm/ecf system:

by: /s/ des 4/23/07



MARK W. BENNETT
U. S. DISTRICT COURT JUDGE
NORTHERN DISTRICT OF IOWA

¹ The court notes that, before pursuing habeas corpus relief, the petitioner must exhaust the remedies that are available to him in the courts of the State. *See* 28 U.S.C. § 2254(b)(1).